THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.22592 of 2007

Dated: 29.10.2007

Between

Smt.A.V.Raghavamma

…Petitioner

And

The Tahsildar,
Kothapeta, East Godavari District.

…Respondent

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.22592 of 2007

ORDER:

On 25.10.2007, the learned Assistant Government Pleader for Civil Supplies had taken notice on behalf of the respondent.

Heard the learned counsel for the petitioner and also the learned Assistant Government Pleader for Civil Supplies.

The learned Assistant Government Pleader for Civil Supplies would maintain that the demand draft submitted by the petitioner is not in relation to the whole amount, but only for 50% of the amount.

Be that as it may, it is needless to say that the respondent is bound to receive the demand draft made in accordance with law and allot the commodities unless and until the authorization is either suspended or cancelled in accordance with law.

This writ petition is filed for issuance of writ of mandamus declaring the action of the respondent in not receiving the demand draft and in not allotting and allowing the petitioner to lift the essential commodities to enable her to distribute the same to the cardholders, as illegal, arbitrary and unjust, and consequently to direct the respondent to receive the demand draft and allot the commodities from the month of November, 2007 to enable the petitioner to distribute the same to the cardholders.

In the facts and circumstances of the case and also in the light of the details narrated in the affidavit filed in support of the writ petition, this Court is of the considered opinion that the writ petition be disposed of directing the respondent to receive the demand draft, if made in accordance with law, and allot the commodities to the petitioner from the month of November, 2007 to enable her to distribute the same to the cardholders of F.P. Shop No.12 of Kothapeta, East Godavari District, provided the authorization is neither cancelled nor suspended.

The writ petition is accordingly disposed of. No costs.

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P.S.Narayana, J

Date: 29.10.2007
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